



February 27, 2001

HOUSE BILL No. 1122

DIGEST OF HB 1122 (Updated February 26, 2001 1:47 PM - DI 92)

Citations Affected: IC 5-10; IC 27-8; IC 27-13; noncode.

Synopsis: Insurance coverage for autism. Defines pervasive developmental disorders, including Asperger's syndrome and autism, as neurological conditions for purposes of coverage under group insurance for state employees, group health insurance, and group health maintenance organization contracts. Requires group insurance for state employees, group health insurers, and group health maintenance organization contracts that provide basic health care services to provide coverage for treatment of a pervasive developmental disorder of a child covered under the plan.

Effective: July 1, 2001.

Fry, Summers, Cochran

January 9, 2001, read first time and referred to Committee on Human Affairs.
February 12, 2001, amended, reported — Do Pass.
February 14, 2001, referred to Committee on Ways and Means pursuant to House Rule 127.
February 26, 2001, amended, reported — Do Pass.

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February 27, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1122

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-7.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 7.1. (a) As used in this section, "covered individual"**
4 **means an individual who is:**

5 **(1) covered under a self-insurance program established under**
6 **section 7(b) of this chapter to provide group health coverage;**
7 **or**

8 **(2) entitled to health services under a contract with a prepaid**
9 **health care delivery plan that is entered into or renewed**
10 **under section 7(c) of this chapter.**

11 **(b) As used in this section, "pervasive developmental disorder"**
12 **means a neurological condition, including Asperger's syndrome**
13 **and autism, as defined in the most recent edition of the Diagnostic**
14 **and Statistical Manual of Mental Disorders of the American**
15 **Psychiatric Association.**

16 **(c) A self-insurance program established under section 7(b) of**
17 **this chapter to provide health care coverage must provide a**

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covered individual with coverage for the treatment of a pervasive developmental disorder.

(d) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter must provide a covered individual with services for the treatment of a pervasive developmental disorder.

(e) The coverage required by subsection (c) and services required by subsection (d) may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to a covered individual than the dollar limits, deductibles, copayments, or coinsurance provisions that apply to physical illness generally under the self-insurance program or contract with a prepaid health care delivery plan.

SECTION 2. IC 27-8-14.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 14.2. Insurance Coverage for Pervasive Developmental Disorders

Sec. 1. (a) As used in this chapter, "accident and sickness insurance policy" means an insurance policy that:

- (1) provides one (1) or more of the types of insurance described in IC 27-1-5-1, classes 1(b) and 2(a); and
- (2) is issued on a group basis.

(b) The term does not include the following:

- (1) Accident-only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.
- (2) Coverage issued as a supplement to liability insurance.
- (3) Worker's compensation or similar insurance.
- (4) Automobile medical payment insurance.
- (5) A specified disease policy issued as an individual policy.
- (6) A limited benefit health insurance policy issued as an individual policy.
- (7) A short term insurance plan that:
 - (A) may not be renewed; and
 - (B) has a duration of not more than six (6) months.
- (8) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.

Sec. 2. As used in this chapter, "insured" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 3. As used in this chapter, "pervasive developmental



disorder" means a neurological condition, including Asperger's syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

Sec. 4. An accident and sickness insurance policy must provide coverage for the treatment of a pervasive developmental disorder of an insured.

Sec. 5. The coverage required under this chapter may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illness generally under the accident and sickness insurance policy.

SECTION 3. IC 27-13-7-14.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14.7. (a) As used in this chapter, "pervasive developmental disorder" means a neurological condition, including Asperger's syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(b) A group contract with a health maintenance organization that provides basic health care services must provide services for the treatment of a pervasive developmental disorder of an enrollee.

(c) The services required under this section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to an enrollee than the dollar limits, deductibles, copayments, or coinsurance provisions that apply to physical illness generally under the contract with the health maintenance organization.

SECTION 4. [EFFECTIVE JULY 1, 2001] (a) IC 5-10-8-7.1, as added by this act, applies to all self-insurance programs or contracts with prepaid health care delivery plans established, issued, renewed, delivered, or entered into after June 30, 2001.

(b) IC 27-8-14.2, as added by this act, applies to all accident and sickness insurance policies issued, renewed, delivered, or entered into after June 30, 2001.

(c) IC 27-13-7-14.7, as added by this act, applies to all group contracts with health maintenance organizations entered into, renewed, delivered, or issued after June 30, 2001.

(d) This SECTION expires June 30, 2005.



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1122, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 19, after "1." insert "(a)".

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"(b) The term does not include the following:

- (1) Accident-only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.**
- (2) Coverage issued as a supplement to liability insurance.**
- (3) Worker's compensation or similar insurance.**
- (4) Automobile medical payment insurance.**
- (5) A specified disease policy issued as an individual policy.**
- (6) A limited benefit health insurance policy issued as an individual policy.**
- (7) A short term insurance plan that:**
 - (A) may not be renewed; and**
 - (B) has a duration of not more than six (6) months.**
- (8) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement."**

and when so amended that said bill do pass.

(Reference is to HB 1122 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 12, nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1122, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 26, nays 0.

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